



JOINT MANAGEMENT PLAN REVIEW

Scoping Comments: Ecosystem Protection – Incorporating Fishing Issues into Education and Research Plans

The MBNMS received approximately 7,000 comments from the public and specific comments from the MBNMS Advisory Council during the management plan review scoping process that directed the Sanctuary to actively pursue protection of the ecosystem and enhance biodiversity through management strategies. The Sanctuary also received a large number of comments pertaining to the Sanctuary's role in fishing. A summary of these comments is presented below.

Ecosystem Protection: Fishing in Research/Education

- Sanctuary should conduct outreach on the effects of marine mammal populations on fishery resources. (All)
- Utilize fishermen for monitoring efforts. (All)
- Not happy with Sanctuary education program's lack of focus on fishing. Sanctuary should emphasize positive aspects of fishing (food, jobs, recreation). (MB)
- The knowledge of members of the fishing industry should be utilized for data collection and research purposes, as well as for environmental monitoring. (All)
- The Sanctuary research program should provide fisheries data to California Department of Fish and Game. (All)
- The Sanctuary should be used as a model for researching new fishing techniques. (MB)
- Sanctuary should increase education about fishing regulations. (MB)
- Recommend changing terminology to "fishing culture" instead of "fishing industry" which has negative connotation. (All)
- Sanctuary should promote/educate community about commercial fishing efforts in the Sanctuary. (All)
- Sanctuary should play an education role rather than regulatory role with commercial fishing. (All)
- Fishing gear should be examined for problems: non-degradable, entanglement. Sanctuary should look for ways to partner with existing agencies to address issue. (All)
- Look to other regions with fisheries collapsing and learn. (All)
- Sanctuary should utilize commercial fishermen for collecting data/research. (All)
- MBNMS with California Department of Fish and Game, the National Marine Fisheries Service, the research community, fishermen and other stakeholders should 1) evaluate physical and biological impacts of bottom trawling within the Sanctuary and 2) ensure protection of species diversity, abundance and habitat. In working with CDFG and NMFS the Sanctuary and its sister agencies should consider gear selectivity if adverse effects of bottom trawling are identified. (All)



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The following is a list of the JMPR Scoping comments that relate to fishing

(bold comments included in list above; MB=comment directed toward MBNMS; All=comment directed toward MBNMS, Gulf of the Farallones NMS, and Cordell Bank NMS; GF=comment directed toward Gulf of the Farallones NMS)

- Concerned about impacts from fisheries. (All)
- Fisheries are currently being micro managed, and regulation has increased, while practices have remained the same. (All)
- The fishing community supports programs such as the Salmon Stamp Program. (MB)
- The Gulf of the Farallones NMS was a good model for working with fishermen. (GF)
- There would be a loss of credibility (the Leon Panetta promise) if the Sanctuary gets involved in fishery regulation. (MB)
- The Sanctuary should realize that commercial and recreational fishing interests are two separate entities, and are not in agreement on all issues.
- The Sanctuary should not be involved in the State's MLPA process. (All)
- Concerned about impacts from the live fish fishery on fish populations. (MB)
- Concerned about decline in catches by recreational fishermen. (All)
- Concerned about the live fish fishery, and depletion of fisheries by marine mammals. (All)
- Concerned about declining fish populations. Sanctuary should play a role in preserving fish populations, while preserving fishery lifestyles. (All)
- If marine reserves must occur, then they should not be located short distances from harbors, boat launch ramps, or boat rental facilities. These are the most practical, easily accessible, and popular areas to fish. (All)
- Concerned about impacts to fishes from catch and release recreational fishing. (All)
- Existing DFG/NMFS rules on by catch are wasteful. Sanctuary & Fisherman could work together on this. (All)
- Alternative foods (to kelp) are available for abalone aquaculture operations. (MB)
- Concerned with the inadequate discussion on sea otter/kelp harvesting issues, potential impacts of harvesting on the entire ecosystem, and the failure to adequately address legal issues. (MB)
- Concerned because there is a significant lack of studies documenting the impact of kelp harvesting on local sea otter populations and other marine mammals. (MB)
- Trawling alters Benthic organisms and bottom habitats, causes displacement of rocks that serve as cover for fish and invertebrates, disruption of bottom affects species diversity, abundance, and distribution. (GF/MB)
- Concerned with over fishing of geoducks and Horse neck clams. (GF)
- Concerned about over fishing such as abalone. (GF)
- The Sanctuary should not regulate fishing. (All)
- Concerned about agricultural runoff and its impacts upon fisheries. (All)
- The current language in the Federal Register with relation to fisheries regulation in the Sanctuary should remain. (MB)
- More resource protection regulations including no-take reserves. (All)



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- **The knowledge of members of the fishing industry should be utilized for data collection and research purposes, as well as for environmental monitoring. (All)**
- The Sanctuary should focus efforts on other activities, which impact fisheries (farming runoff and oil), leaving fisheries regulation to the California Department of Fish & Game and the National Marine Fishery Service. (All)
- The Sanctuary should explore fisheries regulation only in offshore federal waters, not State waters. Existing agencies do a better job, and more regulation is not necessary. (MB)
- **The Sanctuary research program should provide fisheries data to California Department of Fish and Game. (All)**
- Sanctuary should assist CDFG with enforcement, but should not create new regulations. (MB)
- The Sanctuary should seriously consider the contribution of sport fishing to the area's economy. (MB)
- The Sanctuary should adopt marine reserves. (All)
- The Sanctuary should restrict trawling. (All)
- Investigate the possibility of a consumer "fish tax". (All)
- Use money from fishing industry to fund monitoring and replenishment projects. (All)
- Any fishing regulations that are developed should support the fishing community. (All)
- Any zones or regulations proposed by the Sanctuary which affect fishing should only occur if they are the result of a cooperative effort with the fishing and or aquaculture communities and they have the support of those communities. (All)
- **The Sanctuary should be used as a model for researching new fishing techniques. (MB)**
- Sanctuary should regulate gill net fishing. (All)
- Sanctuary should not regulate fisheries in state waters. (MB)
- **Sanctuary should increase education about fishing regulations. (MB)**
- Consider use of Individual Transferable Quotas. (All)
- Clarify language about fishing. (All)
- Sanctuary should regulate spear fishing, by requiring a license and increasing fines. (MB)
- **Sanctuary should play an education role rather than regulatory role with commercial fishing. (All)**
- The Sanctuary should not regulate fisheries, with the exception of trawling. (All)
- Sanctuary should not allow trawling. It caused significant degradation of seafloor. (All)
- **Recommend changing terminology to "fishing culture" instead of "fishing industry" which has negative connotation. (All)**
- Do not become another layer of bureaucracy in dealing with fishing and dredging. (All)
- **Sanctuary should promote/educate community about commercial fishing efforts in the Sanctuary. (All)**
- Fishing in the Sanctuary should be limited to techniques that do not produce by-catch, as do gill nets and bottom trawling. (All)
- The Sanctuary should endorse commercial fisheries within its boundaries. (All)
- The Sanctuary should ban all forms of net fishing. (All)
- Live fish fishery should be restricted or outlawed by the Sanctuary. (MB)



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- Marine reserves in temperate environments are not effective. The sanctuaries should focus their efforts on partnering with other users to educate about impacts, and not on managing fisheries. (All)
- Sanctuary should assist CDFG with the MLPA process in banning fishing in Fitzgerald Marine Reserve. A 2-mile closure is too much, however a 1/2-mile closure would be better. (MB)
- Sanctuaries should “grow” marine reserves over the years. (All)
- Sanctuaries should require low impact gear for bottom trawling. (All)
- Fishers should be compensated for marine reserve areas that have been taken out of access. (All)
- Sanctuaries should give financial support to research on marine reserves. Creation of reserves should be based on “good science”. (All)
- Sanctuaries should actively support the State’s Marine Life Protection Act (MLPA) process, in lieu of sanctuaries’ adoption of reserves. (All)
- Marine reserves established by the State, should be extended into federal waters by the National Marine Sanctuary Program. (All)
- There should be a marine reserve network across all three sanctuaries. Don’t wait for MLPA. (All)
- The Sanctuary should not regulate fishing. Language in the management plan should clarify that. (All)
- **Fishing gear should be examined for problems: non-degradable, entanglement. Sanctuary should look for ways to partner with existing agencies to address issue. (All)**
- **Look to other regions with fisheries collapsing and learn. (All)**
- Sanctuary could work with PFMC using existing regulatory structures. (All)
- Recognize in writing that Sanctuary policies affecting fishing may integrate with management tools promulgated by the state and federal governments, but are not intended to augment or supersede them. (All)
- **MBNMS with California Department of Fish and Game, the National Marine Fisheries Service, the research community, fishermen and other stakeholders should 1) evaluate physical and biological impacts of bottom trawling within the Sanctuary and 2) ensure protection of species diversity, abundance and habitat. In working with CDFG and NMFS the Sanctuary and its sister agencies should consider gear selectivity if adverse effects of bottom trawling are identified. (All)**
- Number of sport and commercial fishing licenses should be limited, quotas should be enforced, and spot checks should be performed on catch of sport fishermen. (All)
- Sanctuaries must seek out more ways to limit by-catch, making gill netting economically feasible today and in the future. (All)
- Sanctuaries should take a stronger stand against gill netting. (All)
- Only fishing techniques that do not harm marine mammals should be permitted in the Sanctuary. (All)
- All fishermen should be required to pass a test, before being given a license, to show that they know how to reduce environmental impacts. (All)



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- Treat shore fishermen separate from commercial and sport fishermen in regards to management and possible fishing closures. (MB, GF)
- If kelp harvesting is to be allowed, then it should only occur at a set distance from shore (1 mile), and quantity should be regulated. (MB)
- Have separate regulations for mechanical and manual kelp harvesting. (MB)
- Fish and Game should manage kelp harvesting. (MB)
- Do not change existing kelp harvesting regulations. (MB)
- Sanctuary should review the state kelp plan during their five-year review. (MB)
- Kelp harvesting should be restricted in a reserve along Cannery Row. (MB)
- Sanctuary should investigate the effects of kelp harvesting on a variety of kelp forest inhabitants, including sea otters. This should be adequately discussed in the final management plan. (MB)
- Sanctuary should further restrict kelp harvesting. (MB)
- The Sanctuary should prohibit mechanized kelp harvesting. (MB)
- Fishery management agencies should work more cooperatively together on issues. (All)
- Sanctuary should work closely with the California Department of Fish and Game, Pacific Fisheries Management Council, fishermen, divers, conservationists, and the public to establish marine reserves within Sanctuary waters. (All)
- Sanctuaries should engage as a full and active partner in the MLPA and PFMC MPA efforts, which should include roles in decision making, providing assistance such as scientific research, socioeconomic data collection, resource protection recommendations, stakeholder outreach and involvement, monitoring and enforcement, but not to defer to marine reserve processes under the jurisdiction of other agencies. (All)
- MBNMS, CBNMS, and GFNMS should be working closely with relevant state and federal agencies, to ensure that marine reserves and other MPAs provide adequate protection of marine biodiversity and habitat within the sanctuaries' boundaries. (All)
- Sanctuary Program should support the State's Marine Life Management Act, by coordinating input to management plans from research institutions around the bay. (All)
- Concerned about impacts to the seafloor from dredging and disposal and continued bottom trawling. (MB)

MBNMS SAC Problem Statements

Incorporate Fishing in Research/Education

- Develop programs with fishing community to promote positive aspects of fishing such as fish stocks that are sustainable. The general public has varying perceptions of the commercial fishing that takes place within the sanctuary. The sanctuary has the obligation to inform the public of all the activities taking place in the sanctuary. It must do this in an objective manner, not just focusing on the problems facing fish stocks. It had the opportunity to do this in the State of the Sanctuary Report but concentrated on problem areas without mentioning that these problems are being addressed.



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Fishing

- Clarify that the Department of Fish and Game and NMFS are the agencies responsible for these regulations as per the original intent when the Sanctuary was designated. Any regulations or zone or advocacy for regulations for zones proposed by the Sanctuary should only occur if they are the result of a cooperative effort with the fishing and aquaculture communities and they have the support of these communities.
- Abide by existing language in Designation Documents and FEIS to limit role in fishing. Existing fisheries management agencies, tools and regulations should continue without overlaying yet another level of as of yet unproven regulation by the Sanctuary. Sanctuary's supporting educational and research roles should continue as complement to fisheries management agencies.
- Abide by existing language in designation documents and FEIS to limit role in fishing. The endorsement by the fishing industry of the creation of MBNMS was given with the understanding that California Fish & Game, NMFS, and the PFMC would be the lead agencies to regulate fishing activities within the MBNMS. These are the agencies that have the experience and resources to perform that task, not the sanctuary. If the sanctuary were to get involved with fishing regulation it would be comparable to reinventing the wheel and would waste limited taxpayer funds that could be better used in other conservation areas. It would, more importantly, signal to the fishing community that the commitment made to influence our decision to endorse the creation of the sanctuary was made in bad faith and would diminish any trust remaining between the fishing community and the MBNMS.

Education

- Coordinate education, communication and outreach programs to reach strategic audiences for priority issues, and increase multicultural education programs. The MBNMS is doing an excellent job developing, coordinating, planning, and participating in educational programs. These efforts should continue and be expanded for local audiences and the region. The education program should target public and private schools, the local public, those that visit our region, and those who make decisions that may affect the Sanctuary.
- Coordinate education, communication and outreach programs to reach strategic audiences for priority issues. Increase multicultural education programs. The MBNMS has developed the MERITO plan and this program should be a high priority education program because of this important, underserved target audience (Hispanic). The MBNMS needs to add to their regional plan that is being developed strategies for priority issues for other strategic audiences. The priority issues will be developed during the management plan review process.
- Coordinate education, communication and outreach programs to reach strategic audiences for priority issues. More effort should be dedicated to educating the public about marine conservation issues, such as the relationships between watersheds and marine receiving waters, and issues related to introduced species. Also, more effort should be dedicated to sharing the results of scientific initiatives with the public. Overall the concept is that people with better



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knowledge about marine conservations issues will support better resource management decisions.

- Develop more targeted education as to how local communities and resource users can help protect sanctuary resources. It is of grave importance that the above issue be promoted to aid the National Marine Sanctuary goals is to pro-actively educate public awareness and understanding of the marine and resources. This is a major building block in achieving the objectives of the Sanctuary and is essential in furthering its mission.